



DEPARTMENT OF ENVIRONMENTAL PROTECTION
Monthly Enforcement Report
for actions during September 2014
DISTRIBUTED: October 16, 2014

This report has been prepared to satisfy a statutory obligation the Maine Department of Environmental Protection has to inform the public of certain enforcement resolutions. Please contact Peter Carney at (207) 287-4305 or peter.j.carney@maine.gov for additional information regarding the activities listed in this report.

The following cases were resolved to achieve compliance with the law; remediate environmental damage; restore natural resources to appropriate conditions; and impose penalties to deter similar actions in the future.

Administrative Consent Agreements Approved by the Commissioner and Office of the Attorney General (party followed by location):

Air:

Wiscasset Ford, Inc., Wiscasset, Maine. Wiscasset Ford, Inc. violated the Department's rule for *New Motor Vehicle Emission Standards* by selling a vehicle that does not comply with the required California-certified emission standard. To resolve the violation, Wiscasset Ford, Inc. agreed to establish a written work policy to ensure compliance with the Department's rule for *New Motor Vehicle Emission Standards*, implement a training program for Wiscasset Ford, Inc. personnel to provide training on the work policy, and submit to the Department a copy of the work policy and evidence that the training has taken place. Wiscasset Ford, Inc. also paid \$1,000 as a civil monetary penalty.

Asbestos:

Karma Environmental Services, Inc., Millinocket, Maine. Karma Environmental Services, Inc. violated the Department's *Asbestos Management Regulations* by allowing personnel to wear clothing under protective suits and footwear that was not designated for asbestos use only, easily identifiable by sight, and permanently marked or labeled as "Asbestos Clothing" on the outside of the clothing or footwear and by failing to require personnel to decontaminate prior to exiting the regulated area by removing all clothing and footwear except a bathing suit, if worn, and thoroughly showering with soap and water at a contiguous decontamination facility. To resolve the violations, Karma Environmental Services, Inc. paid \$3,000 as a civil monetary penalty.

Land:

Lakeside Sand & Gravel, LLC, Lebanon, Maine. Lakeside Sand & Gravel, LLC violated Maine's *Performance Standards for Excavations* law by creating or operating a gravel excavation of five or more acres excavated since 1970 without first filing a Notice of Intent to Comply. Lakeside Sand & Gravel, LLC also violated Maine's *Erosion and Sedimentation Control* law by conducting or causing to be conducted an activity that involves displacing or exposing soil without taking measures to prevent unreasonable erosion of soil or sediment beyond the project site or into a protected natural resource. Finally, Lakeside Sand & Gravel, LLC violated Maine's *Protection and Improvement of Waters* law by discharging or causing to be discharged a pollutant, namely soil, to the waters of the state without first obtaining a permit



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Monthly Enforcement Report for actions during September 2014

DISTRIBUTED: October 16, 2014

This report has been prepared to satisfy a statutory obligation the Maine Department of Environmental Protection has to inform the public of certain enforcement resolutions. Please contact Peter Carney at (207) 287-4305 or peter.j.carney@maine.gov for additional information regarding the activities listed in this report.

from the Department. To resolve the violations, Lakeside Sand & Gravel, LLC agreed to completely reclaim all disturbed soils and pay \$7,100 as a civil monetary penalty, of which \$1,000 will be paid according to a payment schedule, and \$6,100 is suspended and permanently waived if Lakeside Sand & Gravel, LLC complies with all provisions of the Agreement.

District Court Enforcement Resolutions (party followed by location):

Land:

Michael F. Quigg and Mary Quigg, Shapleigh, Maine. Michael F. Quigg and Mary Quigg violated Maine's *Natural Resources Protection Act* ("NRPA") by performing or causing to be performed the construction of permanent structures in, on, over, or adjacent to a great pond and by performing or causing to be performed the displacement of soil or other materials adjacent to a great pond, all without first obtaining a permit from the Department. Specifically, an access way, made of wooden steps, was constructed adjacent to Mousam Lake to access a newly constructed concrete/stone landing in the lake. In addition, soil material was displaced to construct a retaining wall within seventeen feet of the normal high water line of the lake. Following Department involvement, the steps and landing were removed. In a Consent Decree and Order entered into by the parties, and approved by the court, Michael F. Quigg and Mary Quigg agreed to remove the retaining wall with the exception of a portion of the wall that contains the water pump for a dwelling on the subject property and restore areas impacted by construction of the wall by planting trees and controlling erosion on exposed soils. Michael F. Quigg and Mary Quigg also agreed to pay \$2,900 as a civil monetary penalty, of which \$2,000 will be paid according to a payment schedule, and \$900 is suspended and permanently waived if the Quiggs comply with all provisions of the Consent Decree and Order.